THE PUERTO RICO TARIFF.

SPEECH

OF

HON. SAMUEL W. McCALL,

OF MASSACHUSETTS,

IN THE

HOUSE OF REPRESENTATIVES,

THURSDAY, FEBRUARY 22, 1900.

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The House being in Committee of the Whole House on the state of the Union, and having under consideration the bill (H. R. 8245) to regulate the trade of Puerto Rico, and for other purposes—

Mr. McCALL said:

Mr. CHAIRMAN: The distinguished chairman of the Committee on Ways and Means, who is the able leader of this House, and brings to all economic questions a sound judgment and a wide range of information, has, in my opinion, clearly shown that the pending bill will produce a sufficient revenue. But the question of revenue is, I believe, of slight importance compared with another question involved, upon which I regret to say that I am compelled to dissent from the views entertained by my Republican colleagues on the committee, many of whom I have so often followed in the past with pleasure.

The main question put in issue by the substitute bill reported by the chairman of the committee involves nothing less than the proposition that Congress, in dealing with the Territories of the United States, has absolute power, unfettered by any of the limitations of the Constitution. That it is, in short, a power acting outside of the Constitution with the capacity to deal with all persons and property in our Territories as it may see fit. The issue raised by the committee is not, Does the Constitution govern Puerto Rico, but does it govern us? [Applause.] Believing that absolute power was never intended to be given by the framers of the Constitution; that it is contrary to the whole spirit of that instrument; that it is contrary, also, to its specific terms, and that a long and unbroken line of decisions of our Supreme Court are directly against this assertion of power, I feel myself constrained to oppose this bill.

A great deal has been said about the meaning of the term "United States" in the Constitution, and it seems to me much irrelevant learning has been expended in the discussion of that question. It is evident that the term could have been employed in any one of three different senses according to the context—one as expressing simple sovereignty and the national name, another as referring to the individual States composing the Union, and the third referring to the empire or territory over which the new sovereignty was to have sway.

It will require no very ample learning, it seems to me, in our history before the formation of the Constitution to enable one to see that the term might have been used in any of these three senses. There is another and broader sense in which the term is used since the great war of the rebellion. Some of the old views

of the Constitution were totally overthrown by that great convulsion. The close-corporation theory, the idea that our Government rested simply upon the States as units, and that the term "United States," in the political sense, meant simply the States composing the Union, it seems to me, gave way then to the broader doctrine that the Government of the United States rests not in the States but in the people as a whole, a new body politic created by the Constitution.

But, sir, this is no question of mere syntax. What are the vital points? The Revolution was started and fought to a successful conclusion upon the broad principle that one community had no right permanently to levy taxes upon another community. That was the underlying idea which led to the establishment of this Government. The power to tax is the very essence of the power to enslave. The right to take a portion of the proceeds of a man's toil by an unlimited power of taxation necessarily involves the right to take them all. This idea, I say, underlies the foundation of our Government.

And what more than any other motive led to the abandonment of the old Articles of Confederation and the adoption of our Constitution? Was it not the desire to do away with the local toll-gates that had been set up upon the frontiers of each State and to break down the local barriers upon commerce, so that trade might be carried on unfettered throughout the dominion of the United States? The two things, then, that we should expect to find guarded in the Constitution, and the two things with reference to which we should most strictly construe all its terms, are, first, the power to tax, and, second, the power to set up again local barriers against trade within our dominion which the Constitution was erected to throw down.

Now, I do not propose to consume the time of the House with any elaborate review of the condition of our public lands, or of any other portions of our history prior to the adoption of the Constitution than those to which I have alluded, but I come to the direct issue involved by this bill. Section 8 of the first article of the Constitution is as follows:

> The Congress shall have power to lay and collect taxes, duties, imposts and excises to pay the debts, and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States.

Here is the power of taxation specifically given, and in the very section which gives the power the method of its exercise is as distinctly marked out. The power and the method granted in the same breath are coextensive, and wherever Congress has the power to lay and collect duties, imposts, and excises it must lay and collect them uniformly. This would seem to be in accordance with the most natural and simple meaning of the words. Certainly the term "United States" in the uniformity clause does not mean mere sovereignty. It undoubtedly refers to territory, to the places over which this dominion or power is to be exercised.

If we were in any doubt as to the meaning of the words, then I submit that we should solve that doubt in the light of those two great ideas to which I have referred, the one of which caused the Revolution and the other of which led to the adoption of the Constitution. We should give that clause the strictest construction and interpret it in case of doubt against the power to tax and against the power to set up local barriers.

But we are not without further light. This very clause has been construed by the great arbiter set up by the Constitution for the final settlement of all constitutional and other legal questions. I shall quote now from the case of Loughborough *vs.* Blake, in which John Marshall, as great a jurist as ever sat upon any bench, rendered the decision of the court:

> The power to lay and collect duties, imposts, and excises may be exercised and must be exercised throughout the United States. Does this term designate the whole or any part of the American empire? Certainly this question can admit of but one answer. It is the name given to our great Republic, which is composed of States and Territories. The District of Columbia or the Territory west of the Missouri is not less within the United States than Maryland or Pennsylvania, and it is not less necessary, on the principles of our Constitution, that uniformity in the imposition of imposts, duties, and excises shall be observed in the one than the other.

There could not be a more explicit construction placed upon the meaning of any words. This opinion unequivocally holds that the expression "United States" in the clause providing for uniformity of duties, excises, and imposts means the whole American empire and includes the Territories as well as the States. But it is discovered that this expression of opinion is obiter dictum, and a good deal of ingenuity has been expended in support of the proposition that the principle which John Marshall put in the forefront of that decision was not the principle upon which the case should have been decided. A reading of the case, however, will convince anyone that it might well have been put upon that principle, and the fact that it was put upon it is some evidence that the court considered the question and thought that it was material to the decision.

A modern school of jurists—so modern that they have only appeared within our body politic during the last eighteen months—have discovered that the District of Columbia, the constitutional status of which was involved in the case of Loughborough *vs.* Blake, was under the Constitution while it was a part of a State, and by its subsequent cession it did not lose that status. In other words, although the Constitution itself provided for the carving out and cession of just such a district somewhere, in some way when the specific cession of the territory actually occurred the constitution which had been adopted by the State from which it was separated ran with this territory like a covenant running with the land.

All I have to say, Mr. Chairman, upon this proposition is that so far as I can discover it never has occurred to the mind of any justice of our Supreme Court in the long line of decisions that have been rendered upon the constitutional status of the District of Columbia. The utmost that can be shown by it is the obtuseness of the men who have adorned that bench, although it is barely possible that the point was so small and trivial and insignificant as to be beneath the attention of those great minds.

If the opinion which John Marshall expressed for himself and his associates upon that bench were a mere obiter dictum, it would still be entitled to great weight and respect in any tribunal in the world, but it was not obiter dictum. It is clear that the principle was from the view the court took of the case involved in the decision. John Marshall enunciated principles. His mind had a wider range than that of the modern police court justice whose intellectual processes it is now sought to impose upon that great man.

This is one unequivocal opinion by the Supreme Court that the principle involved in the bill presented by the majority of the Committee on Ways and Means is in violation of the Constitution which every member here has taken an oath to observe, protect, and defend. But this specific clause of the Constitution has again been considered by the Supreme Court of the United States, and the meaning of the term "United States" in the uniformity clause has again been construed. I refer now to the case of Cross *vs.* Harrison (16 Howard, 191). That was a case where, among other issues, the question was raised of the legality of certain duties imposed in the Territory of California after it had been ceded to the United States and before it was admitted as a State. In that case the court declared that—

After the ratification of the treaty California became a part of the United States.

More than once in the consideration of that case it treated California, with reference to the clause of the Constitution in question, as a part of the United States, and finally it declared that—

"The right claimed to land foreign goods within the United States at any place out of a collection district, if allowed, would be a violation of that provision of the Constitution which enjoins that all duties, imposts, and excises shall be uniform throughout the United States.

"Indeed, it must be very clear that no such right exists and that there was nothing in the condition of California to exempt importers of foreign goods into it from the payment of the same duties which were chargeable in the other ports of the United States."

Here, then, are two decisions of our Supreme Court, made without any dissent, separated from each other by a third of a century, with the court composed in each case of entirely different justices, which hold that the clause requiring duties, imposts, and excises to be uniform throughout the United States applied to Territories. It may be possible that some fine-spun theory may some day point to the conclusion that this second opinion was also a dictum; but in a law case involving a man's life the authority of these cases would be regarded as conclusive, especially as they have been in no decision overruled or even questioned. So much for the specific interpretation by the Supreme Court of the clause of the Constitution in question.

I will now refer briefly—and there is a long line of decisions—to the cases dealing with the same proposition in a more general form, namely, whether Congress, in legislating for the Territories of the United States, has unlimited authority, and acts as an absolute, primitive sort of despotism outside of the Constitution, or whether it is controlled by the limitations of the instrument which created it; whether the great doctrine of constitutional liberty is only applicable to the residents of this very narrow and close corporation of States, or whether those principles restrain all our agencies of government wherever they are exercised and wherever our laws have sway.

This point has been repeatedly before the Supreme Court. In Murphy *vs.* Ramsey (114 U. S.) the court held that the National Government acts with reference to the Territories—

subject only to such restrictions as are expressed in the Constitution or are necessarily implied in its terms.

And again:

The personal and civil rights of the inhabitants of the Territories are secured to them as to other citizens by the principles of constitutional liberty which restrain all the agencies of government, State and national.

In Reynolds *vs.* United States (88 U. S., 145) the court repeatedly recognized the principle that the constitutional guaranty of right of trial by jury extends to the Territories. With regard to another constitutional right it declared:

> Congress can not pass a law for the government of Territories which shall prohibit the free exercise of religion. The first amendment to the Constitution expressly forbids such legislation. Religious freedom is guaranteed everywhere throughout the United States.

Possibly this is another dictum.

In National Bank *vs.* County of Yankton (101 U. S.), the court declared with reference to a Territory that Congress possessed—

> All the powers of the people of the United States except such as have been expressly or by implication reserved in the prohibitions of the Constitution.

Here is another clear recognition of the principle that when Congress deals with Territories it is not acting as an unrestrained despot, but must act subject to the limitations upon its power set forth in the Constitution.

In the case of Callan *vs.* Wilson, relating to the District of Columbia, the court said:

> There is nothing in the history of the Constitution or of the original amendments to justify the assertion that the people of this District may be lawfully deprived of the benefit of any of the constitutional guaranties of life, liberty, and property.

It can also be said in this case that the Supreme Court again displayed its lack of discrimination, and in considering the question of the constitutional status of the District of Columbia it failed utterly to mention the very modern theory of the manner in which the District crept under the Constitution, but treated it in the discussion simply as a vulgar and common Territory.

In the recent case of Springvale *vs.* Thomas (166 U. S.) the court said:

> In our opinion the seventh amendment secured unanimity in finding the verdict as an essential feature of trial by jury in common-law cases, and the act of Congress could not impart the power to change the constitutional rule and could not be treated as attempting to do so.

Mr. GAINES. Will my friend allow me to call his attention to a case in point?

Mr. McCALL. Yes.

Mr. GAINES. I want to read an extract from the case of Capital Traction Company *vs.* Hof (174 U. S.), a case decided by Judge Gray, of your own State, in which he says:

> The Congress of the United States, being empowered by the Constitution "to exercise exclusive legislation in all cases whatsoever" over the seat of the National Government, has the entire control over the District of Columbia for every purpose of government, national or local. It may exercise within the District all legislative power that the legislature of a State might exercise within the State; and may vest and distribute the judicial authority in and among courts and magistrates, and regulate judicial proceedings before them as it may think fit, so long as it does not contravene any provision of the Constitution of the United States. (Kendall *vs.* United States [1838], 12 Pet., 524,619; Mattingly *vs.* District of Columbia [1878], 97 U. S., 687, 690; Gibbons *vs.* District of Columbia [1886], 116 U. S., 404,407.)
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> It is beyond doubt, at the present day, that the provisions of the Constitution of the United States securing the right of trial by jury, whether in civil or in criminal cases, are applicable to the District of Columbia. (Webster *vs.* Reid (1850), 11 How., 437, 460; Callan *vs.* Wilson (1888), 127 U. S., 540, 550; Thompson *vs.* Utah (1898), 170 U. S., 343.)

The gentleman from Massachusetts [Mr. McCALL] has referred to the Callan and Thompson cases, and the court in this unan-

imous opinion reaffirms them and the doctrine that the Constitution secures the people in our Territories in their fundamental rights.

Mr. McCALL. Reference has been made to the Dred Scott case, and I have on account of the discredited character of that case in another particular refrained from quoting the opinion of the Chief Justice upon the question here involved. But this can be said, that never was any judicial opinion subjected to a more fiery test than was the opinion of the majority of the court in that case by Mr. Justice Curtis in his masterly dissenting opinion, in which he so nobly vindicated the rights of manhood, and yet almost the one point of the opinion of the majority of the court which was accepted by Mr. Justice Curtis was upon this very point. After a full consideration of the question of the power of Congress over Territories he said:

> If, then, this clause does contain a power to legislate respecting the territory, what are the limits of that power?
> To this I answer, that, in common with all the other legislative powers of Congress, it finds limits in the express prohibitions on Congress not to do certain things; that, in the exercise of the legislative power, Congress can not pass an ex post facto law or bill of attainder; and so in respect to each of the other prohibitions contained in the Constitution.

The Slaughter House Cases (16 Wallace) plainly held that the fourteenth amendment, relating to citizenship, extends to the Territories. And in United States *vs.* Wom Kim Ark (169 U. S.) there can be no question whatever that the court considered the term "United States" in the citizenship clause of the fourteenth amendment as including the Territories. See especially the expressions "born within the dominion," "born within the jurisdiction and allegiance," "born within the sovereignty," "the same right in every State and Territory," "born within the territorial limits of the United States," "born in this country;" finally, "the amendment in clear words and in manifest intent includes children born within the territory of the United States."

In the Mormon Church *vs.* United States (136 U. S.) the court cites the case of Murphy *vs.* Ramsey approvingly and says:

> Doubtless Congress in legislating for the Territories would be subject to those fundamental limitations in favor of personal rights which are formulated in the Constitution and its amendments. But its limitations would exist rather by inference and the general spirit of the Constitution, from which Congress derives all its powers, than by any express or direct application of its provisions.

This is one of the cases which are cited by those who claim despotic power in Congress over the Territories; but it is entirely beyond question that the court holds that Congress in legislating for the Territories is subject to the limitations formulated in the Constitution and its amendments. That the court put this restriction upon a ground that is somewhat rhetorical, and more in the nature of exhortation than a reason, does not change the fact that it holds that Congress is subject to these limitations. But three of the justices who sat in that case would not accept these shadowy sources of authority, so similar to the divine origin of the rights of kings, and they dissented through Mr. Chief Justice Fuller.

> In my opinion—
>
> Says the Chief Justice—
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> Congress is restrained not merely by the limitations expressed in the Constitution, but also by the absence of any grant of power expressed or implied in that instrument. * * * I regard it of vital consequence that absolute power should never be conceded as belonging under our system of government to any of its departments.

But in the more recent case of Thomson *vs.* Utah (170 U. S.), Mr. Justice Harlan, in delivering the opinion of the court, said:

> That the provisions of the Constitution of the United States relating to the right of trial by jury in suits at common law apply to the Territories of the United States is no longer an open question.

And again:

> It is equally beyond question that the provisions of the national Constitution relating to trial by jury for crimes and to criminal prosecutions apply to the Territories of the United States.

For the first time in our history Congress is attempting to tax goods going into an American territory. The fact that in the mutations of a century Congress has not attempted to exercise that power, although we always had large areas of territory, is some evidence that the power was not believed to exist.

The weakness of the case of those who contend for the despotic power of Congress is well illustrated by the authorities which they quote. They refer to the case of Fleming *vs.* Page, where our armies had taken possession of a Mexican port. The port had not been formally ceded or annexed to the United States. The court simply held that military occupation did not make American territory and the clear intimation was that if the port in question had been ceded by a treaty duly ratified or annexed by act of Congress it would have become American territory. The case is not in point at all, but if it is to be considered there is not only nothing in it inconsistent with the proposition I am supporting, but its clear implication is entirely in its favor.

Then there are the cases with reference to the judicial department. In no one of those cases is it held or assumed that Congress has unlimited power over the Territories. The absence of a local government in the Territories, such as the States have, must have occurred to the framers of the Constitution, and these cases all hold in effect that Congress possesses over the Territories, in addition to its national powers, the powers ordinarily exercised by a local State government. As a matter of rational construction it is unreasonable to hold that the framers of the Constitution intended a judiciary with a life tenure to be created for Territories which might be admitted as States in the Union in the course of a few years.

Congress doubtless has, under a fair construction of the Constitution, all those powers necessary to give the people of a Territory that full measure of government which the people of a State enjoy, but that it can play the despot, that it has the power to pass a law taking away the life of a citizen, that it can pass an ex post facto law, that it can under the guise of taxation take from an American citizen in a Territory his property in defiance of the provisions of the Constitution, are propositions for which there can be found no basis in judicial authority whatever.

I have said the strength of this view is shown by the weakness of the authorities cited in support of the proposition that Congress has unlimited power. I have referred to the decisions in regard to the Federal judiciary. There is no line in the case of Hepburn *vs.* Ellzey (2 Cranch) or New Orleans *vs.* Winter (1 Wheaton) which is in the slightest degree inconsistent with the position of the court as set forth in Loughborough *vs.* Blake and again in subsequent cases. Take the case of Ross (140 U. S.), which is relied upon by the advocates of this bill as strong authority. That was a case where a crime had been committed on board an American ship while at anchor in a Japanese harbor.

It was clearly a case where there was a divided jurisdiction, where probably more could justly be said for the jurisdiction of Japan than for our own. It was such a case as would necessarily call for the exercise of the treaty-making power. A treaty had been made and a statute passed in pursuance of its terms under which Ross was tried by a consular court. It is beyond question that the court did not consider the crime as committed upon American territory, but outside of American territory. The report of the majority of the committee quotes from that case. It might well have quoted further. The court says:

> By the Constitution the government is ordained and established "for the United States of America," and not for countries outside of their limits.

Would the court have used this language in speaking of a Territory of the United States? And again:

> The Constitution can not have any operation in another country. When, therefore, the representatives or officers of our Government are permitted to exercise authority of any kind in any country, it must be on such conditions as the two countries may agree.

Does the National Government make treaties with its Territories? Is it not clear that the court is discriminating between places where the United States has sovereignty and places where it has not? But this is made clear beyond a question.

> The deck of a private American vessel—

The court says—

> it is true, is considered for many purposes constructively as territory of the United States, yet persons on board of such vessels, whether officers, sailors, or passengers, can not invoke protection of the provisions referred to until brought within the actual territorial boundaries of the United States.

The court thus in each instance makes a distinction between that which is American territory and that which is not. Its reasoning clearly implies that if the crime had been committed within the territorial limits of the American empire, the constitutional guaranties would apply.

The terms of the treaty by which Puerto Rico was ceded to the United States do not affect the question. The status of the inhabitants at the time of the cession is left to be determined hereafter, but the status of the territory is fixed. The sovereignty and dominion over it reside in the Government of the United States, and it is, from the constitutional aspect and the aspect of the law of nations, territory of the United States.

A treaty can not enlarge the powers of Congress under the Constitution, for a treaty can have no other force than law; and so far as its effect in this country is concerned, it can be repealed by act of Congress. The utmost that could be claimed, it seems to me, is that a treaty might stipulate with effect against the exercise of a part of the constitutional power of Congress; but I think it very doubtful if even that proposition could be maintained, and it is not material in the present discussion.

When we regard, then, the circumstances out of which our Government and the Constitution sprang, the words themselves of the taxing power, the direct adjudication of their meaning by the Supreme Court, the long line of authorities which deny the existence of absolute power in Congress, it seems to me it is clear that the theory of despotic power is absolutely repugnant to our institutions, and that if our Supreme Court should hold that such a power existed, it would have to reverse itself as no court has ever reversed itself since time began.

The discussion of the question of political rights only befogs the issue, for it has been held that suffrage is not a constitutional right. Congress, under the Constitution, has full political power over the Territories.

If the majority view of the constitutional status of Puerto Rico be correct, the bill violates another clause of the Constitution which is also in favor of freedom of trade within our dominion. I refer to the provision that "no tax or duty shall be laid on articles exported from any State." Either Puerto Rico is a part of the United States within the meaning of the Constitution or it is not. If it is a part of the United States the uniformity clause clearly applies. If it is not a part of the United States within the meaning of the Constitution, then in order for the productions of the United States to reach it they must be exported from the States. In that case our goods would be exported from a State, and after a short sea voyage agents of the United States, at a port over which the United States has control, would levy a duty upon them, which when paid would become subject to an appropriation by the National Government as much as any money in the Treasury. The indirection of the transaction in no wise changes its character. In the view of the Constitution taken by the majority it becomes clearly an export duty, and is therefore prohibited.

But it is said with a fine emphasis that since our right to tax these people precisely as we please is called in question, we should pass this bill, however unjust it may be, to vindicate our power. But if you are going to assert your power, which was questioned by John Marshall three-quarters of a century ago, why not assert it in a bolder way? Why not show your strength by shearing your wolves—New Mexico, Oklahoma, and Alaska—instead of this poor little pet lamb of Puerto Rico? [Applause.] Again, we are asked to pass this bill, that this great constitutional question can come before the Supreme Court.

Sir, that question, precisely as it exists, can now come before the court; but if you pass this bill it will go there with the added weight that attaches to the action of the great political department of the Government. I believe the court will stand firmly by its decisions; but we have a duty imposed upon us of construing the Constitution in the first instance for ourselves. We have had one decision of the court rendered in times of great political stress that a black man had no rights which a white man was bound to respect, and this country was deluged with blood to wash that decision from our laws. Now, we are asked to lay the foundation for a moot case with the weight of Congress behind it and ask for another decision that the white men and the brown men of Puerto Rico are merely our chattels, and that the commonest constitutional right secured to the meanest black man that treads American soil does not belong to them, although they are under the flag. Let no act of Congress impart sanction to that idea.

But it is said grandly that if this view of the Constitution prevails we can not afford to keep the Philippines. How often might our ancestors have likewise become alarmed over the cession of vast expanses of territory many times in the aggregate in excess of our original area and have been fearful of the result upon their industries and their institutions? And yet the rights secured by the Constitution have been recognized over these broad annexations and nobody will say to-day that the whole country was not better for it.

You may be unduly alarmed about the effect of extending the principle of constitutional liberty wherever our sovereignty goes, but so far as we are concerned the blessings of that liberty have been preserved to us at a price in blood and treasure greater than the value of a thousand archipelagoes, and we will not throw away what we have bought so dearly. But the ultimate solution of the Philippine problem has been reserved for us, and I have no doubt we shall solve it wisely if we call into play our sober judgment and do not obscure it with the noisy rant and the fustian of declamation.

But we are now considering the case of a Territory which is a part of this continent, admitted to be within the natural radius of our political action, and of great importance to our defense. Our victory over it was a bloodless victory. Instead of resisting our approaches it turned to this great power as a child turns to its mother. I do not view without concern the prospect of this nation forever taxing the people of that island, but if we are to tax them at all there is some safety in the fact that we ourselves are willing to submit to the taxes which we impose and remember that whatever modern methods of interpretation you may employ upon the Constitution you will find that the right of one nation to appropriate the earnings of another is no less hateful to-day than at the time of the Revolution. I have said that there is some safety in the fact that the taxing state is willing to pay the taxes which it imposes. It requires little discernment to see the danger into which a different practice would lead. We impose by this bill a certain per cent of duties upon goods passing between that island and this country. How long will it be before some powerful interests will demand that they be recognized? The representatives of these interests vote and elect members of Congress. The Puerto Ricans do not vote. Can there be any doubt that the taxes will be levied more and more for the benefit of great interests in this country, and that this hapless people who were told by our generals that they were to receive the glorious blessings of American liberty, who crowned our soldiers with wreaths, will become the victims of our extortion rather than the sharers in our freedom? How was Spain treating them—selfish, heartless, cruel Spain? At the time of their deliverance they had sixteen representatives and four senators in the Spanish Cortes and helped to make the laws for the whole Spanish Empire. They had a 10 per cent duty upon goods passing between the two countries, and it was decreed that at the end of the year 1898 these duties were to disappear. They had almost complete autonomy for their own local affairs and a million and a half in the treasury.

Consider, too, for a moment how this differential tariff will operate. Upon a territory smaller than Connecticut there are crowded a million people. The great question with them is the food question. Upon many articles of food our duties are high, but as we are large exporters the price is not increased to our people. But for every bag of flour and every barrel of pork that goes to Puerto Rico one-fourth of these high duties must be paid, and either the cost of necessary articles of food is increased to them or the American producer gets so much less for his product. The cost to them will almost certainly be increased. Upon the importations of rice I am told the duties will amount to nearly $400,000 a year. Is this the feast of liberty to which you have invited those trusting people?

Remember that if the race from which our institutions sprang has great virtues it has great faults as well. It may not be cruel like the Spanish race; but is it free from cupidity? Do you want an instance from its history which may show you whither you are drifting? To the west of England there rises from the sea an island larger but not more beautiful than Puerto Rico—Ireland. English statesmen thought their country needed protection against her products, and the linen and other great industries of Ireland were taxed and legislated almost out of existence for the benefit of the taxing country, and the people of Ireland were beggared. That system has been abandoned, and to-day a British citizen in Ireland has equal rights with a British citizen in any other part of the Empire, even in England itself; but generations will not obliterate the bitter memories of the oppression and wrong which rankle in the hearts of the Irish people. Do you want to make Puerto Rico our Ireland? I say far wiser will it be if, instead of entering upon a policy which will make her happy, sunny-hearted children the mere chattels of this Government, we follow the humane recommendation of the President and lay the foundations of our empire deep in the hearts of those people. If you will not regard the question from the standpoint of their interests, look at it somewhat broadly from the standpoint of your own. Our injustice will react upon ourselves. [Applause.]

Our nation was founded and has prospered upon the doctrine of constitutional liberty. Do you not see that you are degrading that liberty from a high principle? If so, how long can you expect it to survive at home? We restrain our own power when it may be exerted upon ourselves. You demand now that it shall be absolute and despotic when it may be exerted upon others. If restraint is to be removed, it can more safely be dispensed with when they who wield the power are likely to suffer.

I do not care to see our flag emblazon the principle of liberty at home and tyranny abroad. Sir, I brand with all my energy this hateful notion, bred somewhere in the heathenish recesses of Asia, that one man may exercise absolute dominion over another man or one nation over another nation. That notion comports very little with my idea of American liberty. It was resisted to the last extremity by the heroes who fought at Bunker Hill and starved at Valley Forge. It fell before the gleaming sabers of our troopers at Five-Forks and Winchester. It was shot to death by our guns at Gettysburg and Appomattox. A half million men gave up their lives that their country might stand forth clothed in the resplendent robes of constitutional liberty and that we might have a government of laws and not of men for every man beneath the shining folds of the flag. All the sweet voices of our history plead with us for that great cause to-day. And I do not believe, sir, that this nation will tolerate any abandonment of that principle which has made her morally, as she is physically, without a peer among nations. [Loud applause.]

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